

Article - Health - General

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§19–116.

(a) (1) The Secretary shall provide for a study of systems capacity in health services.

(2) The study shall:

(i) Determine for all health delivery facilities and settings where capacity should be increased or decreased to better meet the needs of the population;

(ii) Examine and describe the implementation methods and tools by which capacity should be altered to better meet the needs; and

(iii) Assess the impact of those methods and tools on the communities and health care delivery system.

(b) (1) In addition to information that an applicant for a certificate of need must provide, the Commission may request, collect, and report any statistical or other information that:

(i) Is needed by the Commission to perform its duties described in this Part II of this subtitle; and

(ii) Is described in regulations of the Commission.

(2) If a health care facility fails to provide information as required in this subsection, the Commission may:

(i) Impose a penalty of not more than \$100 per day for each day the violation continues after consideration of the willfulness and seriousness of the withholding, as well as any past history of withholding of information;

(ii) Issue an administrative order that requires the applicant to provide the information; or

(iii) Apply to the circuit court in the county in which the facility is located for legal relief considered appropriate by the Commission.

(3) The Commission may send to the Department or a local health planning agency any statistical or other information the Commission is authorized to collect under paragraph (1) of this subsection.

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